

**CITY OF BALTIMORE
COUNCIL BILL 12-0053
(First Reader)**

Introduced by: Councilmembers Stokes, Henry, Branch, Clarke, President Young,
Councilmember Welch

Introduced and read first time: March 19, 2012

Assigned to: Budget and Appropriations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Audits, Department of
Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**Biennial Agency Audits**

3 FOR the purpose of requiring all City agencies to have their operations audited every second
4 fiscal year; defining certain terms; specifying who may conduct the audits; requiring certain
5 reports; providing for a stagger in undergoing the audits; and generally relating to the biennial
6 audit of City agencies.

7 BY adding

8 Article 1 - Mayor, City Council, and Municipal Agencies
9 Section(s) 9-1 through 9-5, to be under the new subtitle,
10 "Subtitle 9. Agency Audits"
11 Baltimore City Code
12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
14 Laws of Baltimore City read as follows:

15 style="text-align:center">**Baltimore City Code**

16 style="text-align:center">**Article 1. Mayor, City Council, and Municipal Agencies**

17 style="text-align:center">**SUBTITLE 9. AGENCY AUDITS**

18 **§ 9-1. DEFINITIONS.**

19 (A) *IN GENERAL.*

20 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

21 (B) *AGENCY.*

22 "AGENCY" MEANS:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (1) ANY DEPARTMENT, BOARD, COMMISSION, COUNCIL, AUTHORITY, COMMITTEE,
2 OFFICE, OR OTHER UNIT OF CITY GOVERNMENT; AND

3 (2) ANY INDIVIDUAL NOT EMBRACED IN A UNIT OF CITY GOVERNMENT WHO EXERCISES
4 AUTHORITY COMPARABLE TO THAT OF THE HEAD OF A UNIT OF CITY
5 GOVERNMENT.

6 (C) *AUDIT*.

7 (1) "AUDIT" MEANS AN AUDIT UNDERTAKEN IN ACCORDANCE WITH GENERALLY
8 ACCEPTED GOVERNMENT AUDITING STANDARDS AND FEDERAL AND STATE LAW.

9 (2) "AUDIT" INCLUDES BOTH:

10 (I) A FINANCIAL AUDIT OF AN AGENCY'S FINANCIAL TRANSACTIONS, INCLUDING
11 ALL ACCOUNTS, REVENUES, AND RECEIPTS; AND

12 (II) A PERFORMANCE AUDIT THAT ASSESSES AN AGENCY'S PRACTICES TO
13 DETERMINE WHETHER THE AGENCY IS OPERATING ECONOMICALLY AND
14 EFFICIENTLY AND WHETHER CORRECTIVE ACTIONS FOR IMPROVING ITS
15 PERFORMANCE ARE APPROPRIATE.

16 **§ 9-2. BIENNIAL AUDIT REQUIRED.**

17 EVERY SECOND FISCAL YEAR, EACH AGENCY SHALL ARRANGE FOR AN AUDIT OF ITS
18 OPERATIONS DURING THE PRECEDING 2 FISCAL YEARS.

19 **§ 9-3. BY WHOM AUDIT CONDUCTED.**

20 THE AUDIT SHALL BE CONDUCTED BY:

21 (1) THE CITY AUDITOR; OR

22 (2) AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT OR FIRM OF CERTIFIED PUBLIC
23 ACCOUNTANTS.

24 **§ 9-4. COSTS OF AUDIT.**

25 IN EACH FISCAL YEAR PRECEDING THE FISCAL YEAR IN WHICH AN AUDIT IS REQUIRED TO BE
26 CONDUCTED, AN AGENCY SHALL INCLUDE THE COSTS OF THE AUDIT IN THE ESTIMATES THAT
27 IT SUBMITS FOR THE NEXT YEAR'S ORDINANCE OF ESTIMATES.

28 **§ 9-5. REPORTS.**

29 REPORTS OF AUDITS CONDUCTED UNDER THIS SUBTITLE SHALL BE SUBMITTED TO:

30 (1) THE MAYOR;

31 (2) THE CITY COMPTROLLER; AND

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1 (2) THE PRESIDENT OF THE CITY COUNCIL.

2 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the catchlines contained in this Ordinance
3 are not law and may not be considered to have been enacted as a part of this or any prior
4 Ordinance.

5 **SECTION 2. AND BE IT FURTHER ORDAINED**, That:

6 (a) The Mayor shall divide all agencies into 2 groups, each group to comprise agencies
7 whose total combined operating budgets are roughly equal to those of the other group.

8 (b) The Mayor shall then cause the initial audits under this Ordinance to be staggered, as
9 follows:

10 (1) The Mayor shall designate one of the two groups to undergo the initial audit
11 during Fiscal Year 2013.

12 (2) The other group shall undergo the initial audit during Fiscal Year 2014.

13 **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th day
14 after the date it is enacted.